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*Attorneys for Defendant  
The FRS Company*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

LAWRENCE BRANDON, on behalf of himself  
and all others similarly situated,

Plaintiff,

vs.

The FRS Company, d/b/a The FRS Healthy  
Energy Company,

Defendant.

Case No. 11-CV-6639 (RS)

**STIPULATION TO DISMISS ACTION WITH  
PREJUDICE PURSUANT TO FED. R. CIV. P.  
41(a)(1)(A)(ii)**

Honorable Richard Seeborg

1 IT IS HERBY STIPULATED BY AND BETWEEN defendant The FRS Company, d/b/a The  
2 FRS Healthy Energy Company and Plaintiff Lawrence Brandon by and through his undersigned counsel  
3 of record, that Plaintiff shall dismiss, with prejudice his individual action, only, pursuant to Fed. R. Civ.  
4 P. 41(a)(1)(A)(ii). Each party shall, with respect to the class action claims and causes of action asserted  
5 in the operative complaint, agree that said claims and causes of action shall be dismissed without  
6 prejudice.

7  
8 DATED: October 30, 2012

Respectfully submitted,

9  
10 **FINKELSTEIN THOMPSON LLP**

11 By: /s/ Rosemary M. Rivas

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18 *Attorney for Individual and Representative*  
19 *Plaintiff Lawrence Brando*

20 DATED: October 30, 2012

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22 **LLP**

23 By: /s/ Neil A.F. Popović

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